

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Western Division

U.S.A. vs. Mathew Castro-Cruz

Docket No. 5:15-MJ-1262-1

Petition for Action on Probation

COMES NOW Keith W. Lawrence, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Mathew Castro-Cruz, who, upon an earlier plea of guilty to Simple Possession of Marijuana, in violation of 21 U.S.C. § 844, was sentenced by the Honorable James E. Gates, U.S. Magistrate Judge, on September 9, 2015, to a 12-month term of probation under the conditions adopted by the court. As a result of the defendant testing positive for opiates on September 30, 2015, a Violation Report was forwarded to the court. The court agreed to continue supervision.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:
On October 16, 2015, the defendant submitted a urine specimen which tested positive for cocaine and marijuana. When confronted with the results, the defendant signed an admission of drug use. Furthermore on October 25, 2015, the defendant committed the offense of Install, Activate, Operate, or Possess a Blue or Red Light in or on a Vehicle, in Cumberland County, North Carolina. The defendant had painted his fog lights on his vehicle red. He has been instructed to remove the red fog lights from his vehicle. As a sanction for this conduct, and in an effort to deter future violations, we would respectfully recommend that his probation be modified to include two days in the custody of the Bureau of Prisons. Furthermore, the defendant has been referred and is attending substance abuse treatment and we will continue to monitor his drug use through the Surprise Urinalysis Program. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of two days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Keith W. Lawrence
Keith W. Lawrence
Senior U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: 910-354-2538
Executed On: October 29, 2015

ORDER OF THE COURT

Considered and ordered this 30th day of October, 2015 and ordered filed and made a part of the records in the above case.


James E. Gates
U.S. Magistrate Judge